

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL BAKER : CIVIL ACTION
 :
 :
v. :
 :
DAVID DIGUGLIELMO, et al. : No. 08-3155

O R D E R

AND NOW, this 7th day of July, 2011, upon consideration of Petitioner's petition for a writ of habeas corpus, and Respondents' response thereto, IT IS HEREBY ORDERED that Petitioner's petition is **DENIED WITH PREJUDICE AND WITHOUT A HEARING.**

IT IS FURTHER ORDERED that no certificate of appealability will be issued pursuant to 28 U.S.C. § 2253 because petitioner has failed to make a substantial showing of denial of a constitutional right.

The Clerk of Court is hereby directed to mark this case closed.

/s J. William Ditter, Jr.

J. WILLIAM DITTER, JR., Sr. J.